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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/501,168	02/09/2000	Stephen William Davies	2-6	3484
22046	7590	07/01/2004	EXAMINER	
LUCENT TECHNOLOGIES INC. DOCKET ADMINISTRATOR 101 CRAWFORDS CORNER ROAD - ROOM 3J-219 HOLMDEL, NJ 07733			CONTEE, JOY KIMBERLY	
		ART UNIT		PAPER NUMBER
				2686

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/501,168	DAVIES ET AL.
	Examiner	Art Unit
	Joy K Contee	2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 09 February 2000 .

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 1-16 is/are allowed.

6) Claim(s) 17-22 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2,3</u> .	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 17-22, filed March 12, 2004, have been fully considered but they are not persuasive.

Applicant argues that Cheng does not disclose the claimed "base station knows" attribute of handoff. Examiner disagrees. Cheng discloses reusing security associations once a mobile unit is handed over. The stationary unit or SU only knows a second SU if within the administration domain the same security policy is present (col. 7, lines 17-67) administration domain is relevant to the security associations transferred.

### ***Claim Rejections - 35 USC § 102***

2. Claims 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheng et al. ("Cheng"), U.S. Patent No. 6,418,130.

Regarding claim 21, Cheng discloses as method for performing a handoff in a wireless network having at least first and second base stations and a least one wireless terminal, the method comprising the steps of:

receiving a request (i.e., MU initiates handover procedure, see Fig. 5, (1)), by said second base station, from said wireless terminal for a handoff between said first base station to said second base station (col. 7, lines 43-46);

performing an expedited (i.e., MU does not have to renegotiate security attributes (SA), thus less time spent in handover) handoff when second base station

knows (i.e., SA are stored in database) are said first base station prior to receiving said request (col. 2, lines 12-17 and col. 7, lines 18-25); and

performing a nonexpedited (i.e., handover that requires renegotiating security information, timely compared to expedited handoff) handoff when said second base station does not know said first base station prior to receiving said request (col. 5, lines 46-55).

Regarding claim 22, Cheng discloses the invention as defined in claim 21, wherein said step of performing an expedited (i.e., MU does not have to renegotiate security attributes (SA), thus less time spent in handover) handoff includes the step of transferring (i.e., via SA request message) security information from said first base station (i.e.,  $S_{U_{k+1}}$ ) to said second base station ( $S_{U_k}$ ) (col. 5, lines 34-42)

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng, in view of Raith, U.S. Patent No. 5,241,598.

Regarding claim 17, Cheng discloses a method for performing handoffs in a network having at least first and second wireless base stations and at least one wireless terminal, the method comprising the steps of:

transmitting a request (i.e., MU initiates handover procedure, see Fig. 5, (1)) from said wireless terminal for a handoff between said first base station to said second base station (col. 7, lines 43-46).

Cheng does not explicitly disclose when said second base station does not know said first base station prior to receiving said request, receiving at said wireless terminal an indication that it must connect to said second base station without benefit of information supplied from said first base station.

In a similar field of endeavor, Raith provides evidence carrying on unencrypted communications between the mobile station and the network (including first base station) with an unsynchronized encryption key (i.e., S-key) (col. 30, lines 6-12). Raith also teaches that network (including first base station) may inform the mobile station in a handoff message to disable encryption for a particular call (i.e., thus the mobile terminal is informed that it will handoff without the benefit of information supplied from said first base station)(col. 30, lines 21-24).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Cheng to include unencrypted communications (i.e., when the second (or visited) base station (or network) does not know the first (or home) base station (or network) during a handoff for the purpose of allowing limited or partial authentication until encryption key is restored (see Raith, col. 30, lines 6-24).

Regarding claim 18, Cheng discloses the invention as defined in claim 17, wherein said information is security information (col. 5, lines 34-42).

Regarding claim 19, Cheng discloses the invention as defined in claim 17, wherein said information is security information received from a security center (i.e., DBS 215) (col. 6, lines 7-18).

Regarding claim 20, Cheng discloses the invention as defined in claim 17, wherein said information is security information received from a base station other than the first or second base stations (col. 2, lines 53-61).

***Allowable Subject Matter***

5. Claims 1-16 are allowed.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K Contee whose telephone number is 703-308-0149. The examiner can normally be reached on 5:30 a.m. to 2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703-305-4379. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

  
Joy K. Contee

June 28, 2004

  
CHARLES APPIAH  
PRIMARY EXAMINER